

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

RICHARD LEE HURLEY,

Petitioner,

v.

JASON BENNETT,

Respondent.

CASE NO. 3:23-cv-06091-TL-BAT

**ORDER DIRECTING SERVICE OF
§ 2254 PETITION AND ANSWER IN
RESPONSE**

The Court has reviewed the §2254 federal petition for writ of habeas corpus filed in this case and **ORDERS:**

SERVICE

(1) The Clerk is directed to send to respondent and to the Attorney General of the State of Washington, via the e-mail service protocol, copies of the petition, all documents in support thereof, and this Order. *See* General Order 06-16. Petitioner is currently incarcerated in a facility operated by the Washington State Department of Corrections and is therefore subject to the Court's Mandatory E-Filing Initiative under General Orders 02-15 and 06-16.

ANSWER OR OTHER RESPONSE

(1) Within **45 days** of being served, respondent shall file and serve either an answer or other response such as a dispositive motion or a motion to stay proceedings. An answer must

1 conform with Rule 5 of the Rules Governing Section 2254 Cases, and also indicate whether an
2 evidentiary hearing is necessary.

3 (2) Respondent must note the answer or other response for the court's consideration
4 on the fourth Friday after filing. Petitioner's response to the answer or other response must be
5 filed and served no later than the Monday immediately before the Friday designated for
6 consideration of the matter. Respondent's reply must be filed no later than the Friday designated
7 for consideration of the matter. Counsel shall deliver to the Clerk's Office a paper copy of any
8 electronically filed document that is more than 50 pages in length. The paper copy should be
9 clearly marked "Courtesy Chambers Copy."

10 **MOTIONS**

11 (1) Any request for court action must be made in a written motion that is properly
12 filed, served, and noted in accordance with Local Rule CR 7. All arguments supporting a motion
13 must be in the motion itself and not in a separate document. The caption of the motion must
14 designate the date the motion is to be noted for the court's consideration.

15 (2) The parties may not communicate directly with the District Judge or Magistrate
16 Judge regarding this case. All relevant inquiries, information and papers are to be directed to the
17 Clerk.

18 (3) The Clerk is directed to send a copy of this Order to the parties.

19 DATED this 27th day of December, 2023.

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23 BRIAN A. TSUCHIDA
United States Magistrate Judge